



Ecological Fiqh Review of the Legality of Deforestation for Agro-Industrial Development in Indonesia's National Strategic Projects

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Abstract

Purpose – This study examines the legality of deforestation for agro-industrial purposes within Indonesia's National Strategic Projects from the perspective of ecological fiqh. It addresses the tension between economic development, public welfare, and environmental protection by formulating the legal conditions under which forest conversion may be considered permissible in Islamic jurisprudence.

Design/methods/approach – This study employs qualitative library research with a normative-doctrinal and descriptive-analytical approach. Primary sources include the Qur'an, Hadith, and classical Islamic legal texts, particularly works associated with the Shafi'i school, while secondary sources include contemporary scholarly literature and relevant legal regulations. Data were analyzed through content analysis, comparative interpretation, and cross-source verification.

Findings – The study finds that destructive deforestation is basically prohibited because it constitutes environmental harm and *fasād*. However, it may become permissible when justified by a legitimate and significant public need. Such permissibility is conditional upon six requirements: serving the most beneficial public interest, remaining proportional to actual need, involving relevant experts, minimizing environmental harm, providing fair compensation where legitimate rights are affected, and preserving ecological balance and resource sustainability.

Research implications/limitations – The findings provide a normative framework for evaluating development policies involving forest conversion, although the study is limited to doctrinal and textual analysis without empirical assessment of specific projects.

Originality/value – The study integrates classical Islamic jurisprudence, ecological fiqh, and contemporary National Strategic Project discourse into a conditional legal framework for agro-industrial deforestation.

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INTRODUCTION

Deforestation in Indonesia has occurred for approximately six decades, dating back to the New Order era beginning in 1966. As a consequence, around 53.1 million hectares of land that were originally forested have been converted into agro-industrial areas, including oil palm plantations and agricultural land developed for food estate programs, particularly in Papua and Central Kalimantan. In recent years, Indonesia has also been reported as one of the countries with the highest levels of deforestation globally, ranking second after Brazil (Tampubolon and Kholidah, 2025). The expansion of agricultural land for food security has further intensified concerns regarding forest conversion. Astriani et al. (2025) indicate that land conversion associated with food estate policies, particularly in forest and peatland areas, may contribute to ecosystem degradation, biodiversity loss, hydrological disruption, and increased disaster risk.

This condition has generated considerable debate. On the one hand, forest conversion for agro-industrial purposes is often viewed positively because it may create employment, increase food production and food security, improve public welfare, and contribute to state revenue (Tampubolon and Kholidah, 2025). From a development perspective, the utilization of land and natural resources therefore constitutes an important component of national economic independence. On the other hand, extensive deforestation may generate significant ecological consequences. Forests play a central role in regulating the water cycle, reducing flood risks, maintaining soil stability, and preserving biodiversity. The loss of forest cover may consequently increase the vulnerability of human settlements to floods, landslides, and other ecological disasters (Jainuddin, 2023). The floods and landslides that occurred in several parts of Sumatra and Aceh in late 2025, for example, were associated with ecological degradation in upstream forest ecosystems (Agungnoe, 2025). The ecological implications of forest utilization for National Strategic Projects have also attracted scholarly attention, particularly regarding biodiversity sustainability and forest governance (Maskun et al., 2021).

Environmental protection is also closely related to religious obligations. In Islamic thought, maintaining environmental safety and ecological balance constitutes an important part of sustaining human life and is connected to the objectives of Islamic law. The protection of the environment is therefore not merely an ethical concern but may also be understood as a normative responsibility within the framework of Islamic jurisprudence (az-Zuhaili, 2010). Contemporary Islamic legal scholarship has increasingly developed this concern through the concept of *fiqh al-bi'ah* or ecological fiqh. Wafiyah (2026), for example, positions ecological fiqh as a normative Islamic legal framework for responding to contemporary environmental crises through principles such as *khilāfah*, *amānah*, *mīzān*, and *maqāṣid al-sharī'ah*.

At the same time, Islam also encourages economic independence and the ability of society to fulfil its own needs. Communities are expected to create employment, produce essential goods, and reduce excessive dependence on external parties. Thanthawi (1998) emphasizes that Muslims should strive to achieve self-sufficiency in fulfilling their needs, because dependence on others increases in proportion to their inability to produce what they require. This principle creates an important normative tension in the context of national agro-industrial development.

Accordingly, deforestation within National Strategic Projects is not merely a practical environmental issue but also a theoretical problem in Islamic jurisprudence. On the one hand,

forest conversion for agro-industrial development may serve public interests by supporting food security, employment, and national economic independence. On the other hand, such conversion may cause serious ecological damage, which is also negatively assessed in Islamic legal thought. This tension becomes more significant when deforestation is justified in the name of strategic development. Studies on oil palm development within National Strategic Projects in Papua, for instance, have highlighted tensions among development objectives, environmental protection, and the rights of affected communities (Nainggolan, 2026).

In addressing these competing interests, Ali Jum'ah argues that Islam emphasizes a balance between the utilization of natural resources and the preservation of environmental sustainability. The use of natural resources must therefore proceed alongside efforts to maintain ecological integrity (Ali Jum'ah, 2009). This balance raises an important legal question regarding the conditions under which deforestation for agro-industrial purposes within National Strategic Projects can be considered legally permissible from the perspective of ecological fiqh. The issue is not simply whether forests may be utilized, but how such utilization can be legally restricted to prevent ecological harm while still accommodating legitimate public needs.

Several previous studies have addressed issues related to deforestation and environmental protection. Tampubolon and Kholidah (2025), in their study "Deforestasi dan Pemberdayaan Masyarakat Tani Hutan ditinjau dari Perspektif Etika dan Hukum Islam," examine deforestation from the perspective of Islamic ethics and law, emphasizing the empowerment of forest-farming communities as part of environmental protection. However, their study does not specifically address the legality of deforestation within National Strategic Projects through the framework of ecological fiqh. Bilhaq (2022), in "Perihal Deforestasi di Indonesia dalam Tinjauan Al-Qur'an dan Hadis," discusses deforestation in Indonesia through Qur'anic and Hadith perspectives, but does not develop a broader fiqh-based legal framework for determining the conditions under which deforestation may be permitted.

Jainuddin (2023) focuses on the ecological consequences of deforestation, including biodiversity loss, ecosystem disruption, global impacts, and long-term risks to future generations. While this study provides an important ecological foundation, it does not examine deforestation through Islamic jurisprudence. More recent studies have expanded the discussion into Islamic environmental thought. Nur et al. (2025) explore Qur'anic ecotheology and forest protection in Indonesia by connecting principles such as *khilāfah*, *mīzān*, and the prohibition of *fasād* with environmental protection. However, the study primarily focuses on Qur'anic ecotheology rather than the legal status and normative limitations of deforestation. Similarly, Wafiyah (2026) develops *fiqh al-bi'ah* as a general Islamic legal response to ecological crises but does not specifically examine agro-industrial deforestation within National Strategic Projects.

Studies focusing on National Strategic Projects have generally approached the issue from environmental law, biodiversity, governance, and human rights perspectives. Maskun et al. (2021) examine threats to biodiversity resulting from the utilization of forest areas for National Strategic Projects, while Nainggolan (2026) discusses oil palm development within such projects in relation to environmental protection and human rights. These studies are highly relevant to the present topic but do not provide an Islamic jurisprudential assessment of the legality and limits of deforestation.

The existing literature therefore develops along several relatively separate lines: ecological impacts of deforestation, Islamic environmental ethics and ecotheology, ecological fiqh, and legal-environmental studies of National Strategic Projects. However, limited attention has been given to integrating these dimensions into a specific Islamic legal analysis of agro-industrial deforestation within National Strategic Projects. This study seeks to fill that gap by examining how ecological fiqh assesses the legal status of deforestation for agro-industrial purposes within National Strategic Projects and by identifying the legal conditions that must be fulfilled for such deforestation to be considered permissible.

METHOD

This study employed library research using a qualitative approach and a descriptive-analytical method. This design was selected because the primary object of the study consists of Islamic legal formulations contained in classical Islamic texts (*kutub al-turāth* or *Kitab Kuning*), particularly works associated with the Shafi'i school of jurisprudence. The qualitative approach was used to enable an in-depth interpretation of the substantive meaning, legal reasoning, and normative implications contained in these texts. The study is therefore categorized as normative-doctrinal research, as it focuses on the analysis of religious and legal texts rather than empirical field data.

The research process began with the identification and inventory of classical Islamic sources relevant to deforestation, environmental protection, public interest, necessity, harm, state authority, and the utilization of natural resources. Particular attention was given to texts within the Shafi'i legal tradition, while relevant works from other schools and contemporary Islamic legal scholarship were also considered when necessary to clarify broader jurisprudential principles. The selected texts were then examined to identify their legal propositions, underlying reasoning, and relevance to the issue of deforestation for agro-industrial purposes within National Strategic Projects.

The primary sources of this study were divided into two categories. First, the Qur'an and Hadith were used as foundational sources of Islamic law. Second, classical Islamic legal works, including works of fiqh, legal maxims, Qur'anic exegesis, commentaries, and glosses, were used to reconstruct the legal reasoning related to environmental protection and the permissibility of utilizing natural resources. Secondary sources included scholarly books, journal articles, legal regulations, and other relevant academic literature that supported the interpretation of contemporary environmental and policy contexts.

Data were analyzed using content analysis combined with a comparative approach. The analysis proceeded through several stages. First, relevant legal statements and concepts were identified from the selected sources. Second, the arguments underlying those formulations were interpreted in relation to key legal principles such as public interest (*maṣlaḥah*), prevention of harm (*ḍarar*), necessity and need (*ḍarūrah* and *ḥājah*), proportionality, state responsibility, protection of ownership rights, and ecological sustainability. Third, the identified formulations were compared across different classical sources to determine areas of convergence, qualification, and limitation. Finally, the findings were synthesized into a coherent legal framework for assessing the permissibility of deforestation for agro-industrial purposes within National Strategic Projects.

To enhance the reliability of interpretation, source triangulation was conducted through cross-checking between primary legal texts, relevant commentaries (*sharḥ*), glosses (*ḥāshiyah*), and contemporary scholarly literature. This process was intended to minimize isolated interpretation and to ensure that the legal conclusions were based on a broader and internally consistent reading of Islamic jurisprudential sources.

RESULTS AND DISCUSSION

Ecological Fiqh Review of the Law of Deforestation

Deforestation refers to the permanent reduction or conversion of forest areas into non-forest land, including land used for industrial development, settlements, infrastructure, agriculture, and plantations (Food and Agriculture Organization, 2020). Its consequences extend beyond changes in land cover because deforestation may reduce habitats for flora, fauna, and microorganisms while also affecting water and air quality and the ecological functions on which human life depends (Mustika, 2026). In Indonesia, the relationship between forest loss and productive land use is well documented. Oil-palm expansion, timber plantations, smallholder conversion, and associated land-use dynamics have all contributed to forest loss in different periods and regions (Austin et al., 2019; Numata et al., 2022; Schoneveld et al., 2019). Studies of plantation development further show that the environmental consequences may include biodiversity loss, greenhouse-gas emissions, soil degradation, water disturbance, and indirect land-use change (Purnama et al., 2025; Syahza, 2019; Taheripour et al., 2019).

At the same time, the empirical literature also demonstrates that the relationship between agricultural development and deforestation is not linear. Sustainability certification may reduce forest conversion in some locations while shifting pressure to other areas, and policies aimed at controlling expansion may produce indirect market and land-use responses (Heilmayr et al., 2020; Taheripour et al., 2019). Other studies propose smallholder replanting, land intensification, agroforestry, and added-value processing as alternatives that can reduce pressure for new forest conversion (Azhar et al., 2021; Ekayani et al., 2025; Nurfatriani et al., 2019). These findings are important for Islamic legal analysis because they indicate that ecological harm is neither inevitable nor identical across all development options; the availability of less harmful alternatives becomes relevant when assessing necessity, proportionality, and public interest.

From the perspective of Islamic jurisprudence, the basic legal status of destructive deforestation is prohibition because it falls within the broader category of environmental destruction (*fasād*). The Qur'an states:

وَلَا تُفْسِدُوا فِي الْأَرْضِ بَعْدَ إِصْلَاحِهَا

“Do not cause corruption on the earth after it has been set right.” (Qur'an, al-A'rāf [7]: 56)

Al-Rāzī (d. 606 H) explains that the prohibition in this verse encompasses every form of corruption and destruction (ar-Rāzī, 1981). More specifically, al-Sam'ānī (d. 489 H), citing al-Ḍaḥḥāk (d. 102 H), includes the alteration or drying of water sources and the cutting of fruit-bearing trees among acts of corruption on earth:

وَقَالَ الضَّحَّاكُ: مِنَ الْفَسَادِ فِي الْأَرْضِ تَغْوِيرُ الْمِيَاءِ وَقَطْعُ الْأَشْجَارِ الْمُثْمِرِ

“Al-Ḍaḥḥāk said: among the forms of corruption on earth are altering water sources and cutting fruit-bearing trees.” (as-Sam’ānī, 1997)

The same normative orientation appears in another Qur’anic prohibition:

وَلَا تَبْغِ الْفُسَادَ فِي الْأَرْضِ إِنَّ اللَّهَ لَا يُحِبُّ الْمُفْسِدِينَ

“Do not seek corruption in the land. Indeed, Allah does not like those who cause corruption.” (Qur’an, al-Qaṣaṣ [28]: 77)

Muḥammad ‘Alī al-Ṣābūnī (d. 1442 H) understands this verse as prohibiting purposes and actions that generate harm to God’s creation (aṣ-Ṣābūnī, 1981). The Qur’an also links environmental corruption to human conduct:

ظَهَرَ الْفُسَادُ فِي الْبَرِّ وَالْبَحْرِ بِمَا كَسَبَتْ أَيْدِي النَّاسِ لِيُذِيقَهُمْ بَعْضَ الَّذِي عَمِلُوا لَعَلَّهُمْ يَرْجِعُونَ

“Corruption has appeared on land and sea because of what people’s hands have earned, so that He may let them taste some of the consequences of what they have done, so that they may return.” (Qur’an, al-Rūm [30]: 41)

Al-Sha’rāwī (d. 1418 H) interprets this verse as a warning that the more excessive human exploitation of nature becomes, the greater the environmental damage that follows (aṣ-Ṣābūnī, n.d.). Al-Harārī (d. 1441 H) likewise explains that fasād includes moral, social, and environmental destruction, including the destruction of buildings, the cutting of trees, and the drying of rivers (al-Harārī, 2001, p. 240). Contemporary scholarship supports this extension of the concept of fasād into ecological jurisprudence. Charis and Sihabudin (2026) interpret Qur’anic prohibitions of environmental corruption through maqāṣid al-sharī’ah, while Wafiyah (2026), Hidayah (2025), and Dwiprigitaningtias et al. (2026) conceptualize fiqh al-bi’ah as a normative legal framework rather than merely an ethical recommendation. Similar arguments are advanced by Munib et al. (2022), Fikri et al. (2026), Bashir (2025), Idris et al. (2025), and Gharbi et al. (2025), who connect stewardship, public interest, ecological balance, and resource sustainability with Islamic legal responsibility.

The prohibition of destructive environmental practices is also supported by the Hadith. Ibn al-Mulk al-Kirmānī (d. 854 H) records the following narration:

عَنْ عَبْدِ اللَّهِ بْنِ حُبَيْشٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ قَطَعَ سِدْرَةً صَوَّبَ اللَّهُ رَأْسَهُ فِي النَّارِ»

“It is narrated from ‘Abd Allāh ibn Ḥubaysh that the Messenger of Allah said: ‘Whoever cuts down a lote tree, Allah will direct his head into the Fire.’” (Ibn al-Mulk, 2012)

Abū Dāwud explains that the Hadith concerns the unlawful cutting of a beneficial tree that provides shade and benefit for humans and animals; therefore, its legal meaning is not restricted to the lote tree itself (Ibn al-Mulk, 2012). The operative concern is unjustified destruction of a beneficial natural resource. This reading is consistent with contemporary eco-theological scholarship that interprets environmental preservation as a collective socio-ecological responsibility and not merely a private virtue (Jaafar et al., 2026; Rauf, 2025).

The conclusion derived from the Qur'an and Hadith is consistent with the views of Muslim jurists. Ali Jum'ah states that protecting the environment is an obligation because environmental preservation supports the protection of health and human life (Ali Jum'ah, 2009). Al-Zuhaili similarly relates environmental protection to the objectives of Islamic law because a healthy environment is indispensable to the continuation of life (az-Zuhaili, 2010). Anang et al. (2022) extend this reasoning to forest and land law, arguing that Islamic legal principles may contribute to contemporary environmental protection. Kurniawan and Fadlillah (2025) further propose a movement from exclusively anthropocentric jurisprudence toward an ecocentric and intergenerational understanding of maqāṣid, while Wahyudi et al. (2025) place ecological justice within an expanded maqāṣid discourse. These studies reinforce the argument that environmental damage is legally relevant when it threatens present and future human welfare, ecosystems, and the equitable distribution of natural benefits and burdens.

On this basis, the basic ruling of deforestation that constitutes ecological destruction is prohibition. However, the prohibition is not absolute. Al-Ghazālī (d. 505 H), in *Iḥyā' 'Ulūm al-Dīn*, states:

وَكَذَلِكَ مَنْ كَسَرَ غُصْنًا مِنْ شَجَرَةٍ مِنْ غَيْرِ حَاجَةٍ نَاجِزَةٍ مُهِمَّةٍ، وَمِنْ غَيْرِ غَرَضٍ صَحِيحٍ فَقَدْ كَفَرَ نِعْمَةَ اللَّهِ تَعَالَى فِي خَلْقِ الْأَشْجَارِ وَخَلْقِ الْيَدِ ... فَإِنْ كَانَ لَهُ غَرَضٌ صَحِيحٌ فَلَهُ ذَلِكَ، إِذَا الشَّجَرُ وَالْحَيَوَانُ جُعِلَا فِدَاءً لِأَعْرَاضِ الْإِنْسَانِ

“Likewise, whoever breaks a branch from a tree without an urgent and important need and without a legitimate purpose has indeed shown ingratitude for Allah’s blessing in the creation of trees and the creation of the hand ... However, if he has a legitimate purpose, then it is permissible for him, because trees and animals were created to serve legitimate human purposes.” (al-Ghazālī, n.d.)

This statement distinguishes arbitrary destruction from the utilization of nature for a legitimate and sufficiently important purpose. Al-Ghazālī’s reasoning is supported by the Qur’anic principle that natural resources have been made available for human benefit:

وَسَخَّرَ لَكُمْ مَّا فِي السَّمَاوَاتِ وَمَا فِي الْأَرْضِ جَمِيعًا مِنْهُ

“And He has subjected to you whatever is in the heavens and whatever is on the earth, all from Him.” (Qur’an, al-Jāthiyah [45]: 13)

A similar principle is expressed in another verse:

هُوَ الَّذِي خَلَقَ لَكُمْ مَّا فِي الْأَرْضِ جَمِيعًا

“He is the One who created for you all that is on the earth.” (Qur’an, al-Baqarah [2]: 29)

Al-Ṭabarī interprets the latter verse as indicating that worldly resources were created for legitimate human utilization, while al-Māturīdī explains that natural resources such as vegetation and water are worldly blessings available for human benefit (Ibrohim and Athoillah, 2023). Yet the permissibility of utilization cannot be equated with unrestricted exploitation. Contemporary fiqh al-bi’ah emphasizes that human benefit must be evaluated together with ecological balance, the prevention of harm, and the continuity of resources (Wafiyah, 2026;

Hidayah, 2025; Dwiprigitaningtias et al., 2026). Burhanudin and Arrakhman (2026) argue that fiqh al-awlawiyyāt requires the prioritization of preventing serious environmental damage over excessive resource exploitation, while Nurjanah et al. (2026) explicitly frame natural-resource policy as a process of weighing maṣlaḥah and mafsadah for ecosystems, the environment, and affected communities.

Therefore, deforestation undertaken to fulfil an important and legitimate public need may move from prohibition to conditional permissibility. The change in legal status, however, does not occur simply because a project has been formally designated as a National Strategic Project. Islamic law requires an assessment of the underlying need, the scale and distribution of public benefit, the extent of ecological harm, the existence of less damaging alternatives, and the measures available to prevent or mitigate damage. This distinction is important because Indonesian environmental-governance studies repeatedly identify tensions between development objectives, forest protection, regulatory consistency, and environmental justice (Maskun et al., 2021). Thus, the legal question is not whether development is legitimate in the abstract, but under what substantive conditions forest conversion can be justified.

Conditions for the Legality of Deforestation for Agro-Industrial Purposes within National Strategic Projects

A National Strategic Project is a project implemented by the Government to promote economic growth and equitable development in order to improve public welfare. Among such projects are programs related to national food and energy self-sufficiency, including large-scale rice and oil-palm cultivation. In practice, some agro-industrial programs involve the conversion of forest areas into agricultural and plantation land. The contemporary literature shows that such projects may generate significant socio-environmental consequences and therefore require an integrated assessment of environmental, social, legal, and economic dimensions (Astriani et al., 2025; Maskun et al., 2021; Nainggolan, 2026; Samodro, 2026). From the perspective of ecological fiqh, the administrative designation of a project as “strategic” cannot itself serve as a sufficient legal justification. Based on the classical sources analyzed in this study, six cumulative conditions are required.

1. It Must Constitute the Most Beneficial Policy for the Public Interest

In formulating public policy, the government is required to assess comprehensively the positive and negative consequences of its decisions. A National Strategic Project that results in deforestation can therefore be justified only when it constitutes the policy that most effectively serves the public interest. ‘Izz al-Dīn ibn ‘Abd al-Salām (d. 660 H) states:

يَتَصَرَّفُ الْوَلَاءُ وَنُوَابُهُمْ بِمَا ذَكَرْنَا مِنَ التَّصَرُّفَاتِ بِمَا هُوَ الْأَصْلَحُ لِلْمَوْلَى عَلَيْهِ دَرَأٌ لِلضَّرَرِ وَالْفَسَادِ وَجَلْبًا لِلنَّفْعِ وَالرِّشَادِ

“Rulers and their representatives must conduct their policies according to what is most beneficial for those under their responsibility, in order to prevent harm and corruption and to realize benefit and soundness.” (Ibn ‘Abd al-Salām, 1991)

When two policies both generate benefits, Islamic legal reasoning gives priority to the option whose benefits extend to the wider public:

أَنَّ اعْتِنَاءَ الشَّرْعِ بِالْمَصَالِحِ الْعَامَّةِ أَوْفَرُ وَأَكْثَرُ مِنْ اعْتِنَائِهِ بِالْمَصَالِحِ الْخَاصَّةِ

“Indeed, the concern of the Shari’ah for public interests is greater and more extensive than its concern for private interests.” (Ibn ‘Abd as-Salām, 1991)

Al-Būṭī further explains that when benefits differ in their scope, the benefit reaching the larger number of people is generally given priority:

أَنَّ الْمَصَالِحَ ... كَثِيرًا مَا تَخْتَلِفُ فِي مِقْدَارِ شُمُولِهَا لِلنَّاسِ وَمَدَى انْتِشَارِ ثَمَرَاتِهَا بَيْنَهُمْ فَيُقَدَّمُ حِينَئِذٍ أَعْمُ الْمَصْلَحَتَيْنِ شُمُولًا عَلَى أَضْيَقِهِمَا فِي ذَلِكَ إِذْ لَا يُعْقَلُ إِهْدَارُ مَا تَتَحَقَّقُ بِهِ فَائِدَةٌ جُمُوعَةٍ مِنَ النَّاسِ مِنْ أَجْلِ حِفْظِ مَا تَتَحَقَّقُ بِهِ فَائِدَةٌ شَخْصٍ وَاحِدٍ أَوْ فِتَّةٍ قَلِيلَةٍ مِنَ النَّاسِ عَلَى أَنَّ الْفَرْدَ لَا يَتَضَرَّرُ بِتَرْجِيحِ مَصْلَحَةِ الْجَمَاعَةِ عَلَيْهِ لِدُخُولِهِ غَالِبًا فِيهِمْ

“Benefits often differ in the extent of their inclusion of people and in the spread of their fruits among them. The more comprehensive of two benefits is therefore preferred to the narrower one, for it is unreasonable to neglect what benefits the majority in order to preserve what benefits only one person or a small group.” (al-Būṭī, n.d.)

The principle of public interest is especially important in environmental governance because development benefits and ecological costs are rarely distributed equally. Amirullah (2026) criticizes approaches that treat ecological degradation merely as a problem of individual morality while neglecting power relations, resource control, and the unequal distribution of environmental benefits and harms. Susana et al. (2025) similarly argue that maqāṣid-based environmental governance must address the legal structure of resource policy rather than only individual conduct. In the Indonesian context, Mahendra et al. (2024) identify tensions between economic-development policies and environmental protection, while Sagita and Budi (2024) show how institutional capacity, decentralization, and conflicting economic priorities can produce uneven environmental outcomes. These findings strengthen the fiqh requirement that maṣlaḥah must be substantive and distributive, not merely asserted by policy makers.

Accordingly, the public-interest test must ask at least three questions: whether the expected benefit is genuinely public rather than sectoral or private; whether the ecological and social burdens are disproportionately imposed on particular communities; and whether comparable benefits can be achieved through a less damaging policy. If the same food, energy, employment, or revenue objectives can reasonably be achieved by optimizing degraded land, intensifying existing production, improving smallholder productivity, or adopting agroforestry, the more destructive alternative cannot automatically be regarded as al-aṣḥaḥ (the most beneficial). Empirical studies that recommend replanting, land intensification, agroforestry, and value-added production are therefore directly relevant to the legal assessment of maṣlaḥah (Nurfatriani et al., 2019; Ekayani et al., 2025).

2. It Must Be Proportional and Limited to the Actual Need

Forest conversion must be limited to the amount genuinely necessary to achieve a legitimate objective. If a food or energy target can be achieved by converting only a particular area, deforestation beyond that area is not legally justified. Likewise, where

suitable non-forest or previously degraded land is available, the government should prioritize its utilization before opening new forest areas. This condition is based on the jurisprudential maxim:

مَا أُبِيحَ لِلْحَاجَةِ يُقَدَّرُ بِقَدْرِهَا

“Whatever is permitted because of a need is limited according to the extent of that need.”
(As-Sighnāqī, 2001)

The maxim prevents ḥājah or public necessity from becoming an unlimited license for exploitation. In contemporary terminology, it functions as a proportionality principle: the ecological burden imposed by a policy must not exceed what is necessary to achieve its legitimate objective. The empirical literature makes this limitation particularly important in Indonesia. Austin et al. (2019), Schoneveld et al. (2019), and Numata et al. (2022) show that plantation expansion and land-use conversion have played major roles in forest loss in different Indonesian contexts. Purnama et al. (2025) highlight the environmental trade-offs associated with palm oil expansion, while Heilmayr et al. (2020) and Taheripour et al. (2019) demonstrate that even sustainability and restriction policies can produce spillover or market-mediated effects if their wider land-use consequences are not considered.

A proportionality assessment therefore cannot be reduced to measuring the hectares directly cleared for a project. It must also consider indirect displacement, secondary land conversion, peat and hydrological impacts, and the cumulative effects of connected infrastructure. Astriani et al. (2025) underscore these concerns in the context of food-security land conversion, while Samodro (2026) argues for strategic environmental and social assessment in evaluating National Strategic Projects. Such evidence supports a fiqh-based requirement that permission must remain within the precise boundaries of the established need.

3. Relevant Experts Must Be Involved in Policy Formulation and Implementation

Public authorities should consult experts whose knowledge is directly relevant to the policy being formulated and implemented. Ibn Jamā’ah (d. 733 H) states:

يَنْبَغِي لِلسُّلْطَانِ مُشَاوَرَةُ الْعُلَمَاءِ الْعَامِلِينَ النَّاصِحِينَ لِلَّهِ وَرَسُولِهِ وَلِلْمُسْلِمِينَ فَيَعْتَمِدُ عَلَيْهِمْ فِي أَحْكَامِهِ وَنَقْضِهِ وَإِبْرَامِهِ

“A ruler should consult knowledgeable scholars who act upon their knowledge and sincerely advise for the sake of Allah, His Messenger, and the Muslims. He should rely upon them in his decisions, whether in revoking or establishing them.” (Ibn Jamā’ah, 1988)

In the contemporary environmental context, the rationale of this rule extends beyond religious scholars to the inclusion of forestry experts, ecologists, agronomists, hydrologists, spatial planners, economists, environmental-law scholars, and specialists in social and Indigenous-community impacts. Forest conversion involves technical consequences that cannot be reliably evaluated through political or economic reasoning alone. Maskun et al. (2021) identify biodiversity risks associated with the utilization of forest areas for National Strategic Projects, and Fathoni et al. (2025) show the importance of robust environmental-permitting frameworks for strategic projects. Mokodongan et al. (2025) similarly illustrate the practical relevance of forest-protection policy in a PSN

setting, while Chandra et al. (2026) emphasize ecological mitigation, transparent spatial information, and the reconstruction of forest spatial-planning policy.

Expert participation should also be complemented by institutional accountability and public participation. Yuza et al. (2023) identify weaknesses in accountability, legal certainty, enforcement capacity, and community participation in Indonesian deforestation governance. Surono et al. (2025) likewise show that forest-area regulation may achieve administrative results while still facing socio-ecological tensions where participation, tenure recognition, and distributive justice remain inadequate. Accordingly, consultation in ecological fiqh should be understood as a decision-quality requirement: policies affecting forests should be informed by reliable evidence, multidisciplinary expertise, and the knowledge of communities directly affected by the decision.

4. Negative Environmental Impacts Must Be Prevented and Minimized

The government bears a responsibility to protect the population from preventable harm. Al-Jazīrī (d. 1360 H) states:

وَيَجِبُ عَلَى كُلِّ رَئِيسٍ قَادِرٍ سَوَاءٌ كَانَ حَاكِمًا أَوْ غَيْرَهُ أَنْ يَرْفَعَ الضَّرَرَ عَنْ مَرْؤُوسِيهِ فَلَا يُؤْذِيهِمْ هُوَ وَلَا يَسْمَحُ لِأَحَدٍ أَنْ يُؤْذِيَهُمْ

“Every capable leader, whether a ruler or otherwise, is obliged to remove harm from those under his responsibility. He may not harm them himself, nor may he permit anyone else to harm them.” (al-Jazīrī, 2003)

Therefore, even where a National Strategic Project generates substantial public benefits, the government may not disregard its ecological consequences. The existence of some unavoidable harm does not eliminate the obligation to reduce harm that can still be prevented. This principle is expressed in the maxim:

الْمَيْسُورُ لَا يَسْقُطُ بِالْمَعْسُورِ

“What remains possible is not waived because of what is difficult.” (Az-Zarkasyī, 1985)

This reasoning is closely related to the broader jurisprudential principle *lā ḍarar wa lā ḍirār*, which requires the prevention of harm and the avoidance of reciprocal harm. Contemporary environmental jurisprudence treats this maxim as a basis for ecological responsibility, while *maqāṣid*-oriented studies likewise emphasize prevention, restoration, and sustainability (Burhanudin and Arrakhman, 2026; Wafiyah, 2026). The same logic appears in contemporary Islamic analyses of sustainable governance: Itishan et al. (2025) apply Islamic legal principles to extractive-resource governance, and Dwiprigitningtias and Ikrardini (2025) relate Islamic legal obligations to emission reduction and environmental stewardship. These studies support the proposition that mitigation is not a discretionary policy preference but part of the legal conditions of permissible development.

For agro-industrial forest conversion, mitigation should include limiting clearance to the approved area, maintaining riparian and high-conservation-value zones, preventing peat degradation, protecting water systems, controlling fire risks, rehabilitating disturbed land, restoring vegetation, and continuously monitoring cumulative impacts. Ferly et al.

(2025) address Islamic ethics in managing forest-fire risks in palm-oil and industrial-plantation concessions, while Subekti and Aristawidya (2025) critically examine Indonesia's deforestation-related legal instruments in the context of FOLU Net Sink 2030. Susila Adiyanta et al. (2025) further frame deforestation in conservation areas as a serious environmental offense from a green-criminology perspective. Together, these studies reinforce the legal expectation that avoidable environmental harm must be prevented even when a broader project is otherwise considered beneficial.

5. Fair Compensation and Protection of Lawful Rights Must Be Guaranteed

If the forest area to be converted constitutes privately owned or lawfully controlled land, the government is obligated to protect the rights of its owners and provide fair compensation where acquisition is necessary. Al-Zuhaili states:

يَجُوزُ لِوَلِيِّ الْأَمْرِ الْعَادِلِ أَنْ يَفْرُضَ لِلضَّرُورَةِ قُيُودًا عَلَى الْمِلْكِيَّةِ الْخَاصَّةِ فَيَحْدِدَهَا بِمِقْدَارٍ مُعَيَّنٍ، أَوْ يَنْتَزِعَهَا مِنْ أَصْحَابِهَا مَعَ دَفْعِ تَعْوِضٍ عَادِلٍ إِذَا كَانَ ذَلِكَ فِي سَبِيلِ الْمَصْلَحَةِ الْعَامَّةِ

"A just ruler may, due to necessity, impose restrictions on private ownership by determining a certain limit, or take it from its owners with the payment of fair compensation, when this is done for the public interest." (al-Zuhaili, 1997)

This formulation demonstrates that public interest does not extinguish lawful property rights. Rather, necessity may justify restrictions only when the public purpose is legitimate and accompanied by justice. In contemporary forest governance, this condition must also account for communities whose relationship with forests is not reducible to formal individual title. Nainggolan (2026) shows that oil-palm development within National Strategic Projects in Papua raises issues of environmental protection and human rights. Surono et al. (2025) likewise identify overlapping customary claims and unequal enforcement as continuing challenges in forest-area regulation.

Accordingly, compensation cannot be understood narrowly as a one-time financial payment. A fiqh-based assessment should also consider loss of livelihood, access to water and forest products, customary or communal tenure, cultural attachment, resettlement costs, and the long-term socio-ecological effects borne by affected communities. Amirullah (2026) is especially relevant here because his ecological-justice approach emphasizes actors, power, *ḍarar*, *mafsadah*, and the unequal distribution of benefits and burdens. This reinforces the proposition that a project cannot be classified as serving the public interest when its benefits are broadly socialized but its harms are concentrated on a vulnerable minority without meaningful participation and adequate redress.

6. Ecological Balance and the Sustainability of Natural Resources Must Be Maintained

The final condition is the preservation of ecological balance and long-term sustainability. Natural-resource policies cannot focus exclusively on immediate economic benefits but must consider ecosystem integrity and the interests of future generations. The Prophet Muhammad is reported to have said:

إِنْ قَامَتْ عَلَى أَحَدِكُمُ الْقِيَامَةُ وَفِي يَدِهِ فَسِيلَةٌ فَإِنْ اسْتَطَاعَ أَلَّا تَقُومَ حَتَّى يَغْرِسَهَا فَلْيَغْرِسَهَا

“If the Hour is about to be established and one of you has a palm seedling in his hand, if he is able to plant it before the Hour is established, let him plant it.” (Ibn Ḥanbal, 2001)

The Hadith reflects a strong normative orientation toward sustaining and restoring vegetation even in extreme circumstances. Rauf (2025) interprets Prophetic teachings on planting and greening as a collective socio-ecological responsibility linked to the protection of life, wealth, and the environment. This interpretation is consistent with contemporary ecological fiqh, which places conservation and restoration alongside the prevention of destruction (Wafiyah, 2026; Hidayah, 2025; Jaafar et al., 2026). Ali Jum’ah similarly explains that ecological balance requires preserving the proportion and quality of natural systems, protecting species from extinction, and establishing conservation areas to prevent ecosystem degradation (Ali Jum’ah, 2009).

Al-Zuhaili further emphasizes the urgency of environmental protection:

وَكَانَ مِنَ الْوَاجِبِ الْمُبَادَرَةُ إِلَى حِمَايَةِ الْبَيْئَةِ مِنْ كُلِّ أَسْبَابٍ أَوْ عَوَامِلٍ التَّلَوُّثِ وَمَا يَزَالُ التَّقْصِيرُ فِي هَذَا الْإِتِّجَاهِ وَاضِحَ الْمَعَالِمِ عَلَى مُسْتَوَى الْوَطَنِ وَالْدُّوَلِ وَلَا سِيَّمَا الدُّوَلِ الصَّنَاعِيَّةَ الْكُبْرَى

“It is an obligation to take immediate action to protect the environment from every cause or factor of pollution. Negligence in this direction remains clearly visible at the national and international levels, especially among the major industrial states.” (al-Zuhaili, 2010)

This classical-contemporary convergence makes sustainability a substantive legal requirement. Kurniawan and Fadlillah (2025) emphasize intergenerational equity in the reconstruction of Islamic environmental ethics, while Wafiyah (2026) proposes ḥifẓ al-bī’ah as an essential objective within an expanded maqāṣid framework. Idris et al. (2025), Gharbi et al. (2025), and Dwiprigitaningtias et al. (2026) similarly connect Islamic legal principles with sustainable natural-resource governance. In Indonesian environmental law, Subekti and Aristawidya (2025), Samodro (2026), and Fathoni et al. (2025) highlight the continuing need for stronger environmental safeguards in development and strategic-project governance. Chandra et al. (2026) further argue that forest spatial planning should incorporate ecological mitigation and intergenerational justice.

The sustainability condition also requires attention to restoration and alternatives to further expansion. Rauf (2025) provides a hadith-based foundation for reforestation, while Ekayani et al. (2025) identify intensification, agroforestry, and added-value creation as strategies for reducing plantation expansion into forests. Nurfatriani et al. (2019) show how replanting support for smallholders can contribute to reducing deforestation pressure. These approaches demonstrate that ecological fiqh is not limited to prohibiting destruction; it also supports policies that restore environmental functions and meet economic objectives through less destructive means.

Synthesis of the Findings

Taken together, the findings demonstrate that ecological fiqh neither establishes an absolute prohibition on every form of forest utilization nor grants unrestricted legitimacy to development. The legal structure is conditional. Forest conversion may be permissible only when it serves a genuine and superior public interest, remains proportional to an established need, is informed by relevant expertise and public participation, minimizes preventable harm,

protects lawful rights through fair compensation and procedural justice, and maintains ecological balance and the sustainability of natural resources. These conditions operate cumulatively rather than independently.

This synthesis also clarifies the relationship between classical fiqh and contemporary environmental evidence. Classical sources provide the normative architecture—*fasād*, *maṣlahah*, *ḍarar*, *ḥājah*, consultation, public responsibility, protection of ownership, and ecological preservation—while contemporary research supplies the empirical knowledge necessary to determine how those principles apply to present-day deforestation. Studies of palm-oil expansion, food estates, biodiversity, certification, land-use spillovers, forest governance, environmental permitting, spatial planning, and environmental justice show that the consequences of forest conversion vary according to location, policy design, institutional quality, and the distribution of benefits and burdens (Austin et al., 2019; Heilmayr et al., 2020; Numata et al., 2022; Maskun et al., 2021; Astriani et al., 2025; Fathoni et al., 2025; Samodro, 2026; Nainggolan, 2026). Thus, a fiqh ruling cannot be detached from reliable ecological and socio-legal evidence.

The principal contribution of this analysis is therefore the formulation of a conditional legality framework for agro-industrial deforestation within National Strategic Projects. Formal project status does not itself transform a prohibited act into a permissible one. Permissibility depends on the substantive fulfillment of the six conditions identified above. Where a project fails the public-interest test, exceeds the actual need, ignores expert evidence, leaves preventable harm unmitigated, violates lawful rights, or threatens ecological sustainability, the justification for permissibility is weakened or lost. Conversely, where the project satisfies these requirements and no reasonably less harmful alternative can achieve the same legitimate public objective, Islamic jurisprudence provides a basis for conditional permission. This framework places ecological protection and economic development within a single legal calculus rather than treating them as mutually exclusive concerns.

CONCLUSION

This study concludes that, from the perspective of ecological fiqh, the basic legal status of deforestation that causes environmental destruction is prohibited because it contradicts Qur'anic principles, Prophetic teachings, and the views of Islamic jurists concerning the prevention of harm and the protection of nature. However, this ruling is not absolute. Deforestation may become permissible when it is carried out to fulfil an important and legitimate public need and when the expected benefit outweighs the resulting harm.

In the context of agro-industrial development within National Strategic Projects, permissibility cannot be derived merely from the strategic status of the project. Rather, it depends on the fulfilment of specific legal conditions. The project must represent the most beneficial policy for the public interest, be implemented proportionally and only to the extent of actual necessity, involve relevant experts in decision-making, minimize environmental harm, provide fair compensation when legitimate ownership or community rights are affected, and preserve ecological balance and the sustainability of natural resources.

These findings indicate that ecological fiqh offers a conditional legal framework that seeks to reconcile economic development with environmental protection. It neither absolutely prohibits the utilization of forest resources nor permits unrestricted exploitation in

the name of development. Instead, the legality of deforestation is determined by the extent to which public benefit, prevention of harm, proportionality, justice, and ecological sustainability are substantively fulfilled.

This study is limited to normative-doctrinal analysis based primarily on Islamic legal texts and relevant contemporary literature. Therefore, future research should examine the empirical implementation of these principles in actual agro-industrial projects in Indonesia. Such studies are necessary to assess the extent to which development policies and practices conform to the normative requirements of ecological fiqh and to identify possible gaps between legal principles and their implementation.

DECLARATION OF AI AND AI ASSISTED TECHNOLOGIES IN THE WRITING PROCESS

In the preparation of this manuscript, the authors utilized ChatGPT (OpenAI) to assist with language editing, improving academic clarity, and refining the organization and presentation of the manuscript. All AI-assisted outputs were critically reviewed, verified, and revised by the authors. The authors take full responsibility for the accuracy, integrity, arguments, interpretations, and final content of the publication.

AUTHOR CONTRIBUTION STATEMENT

Muhammad Athoillah: Conceptualization, methodology, investigation, formal analysis, and writing – original draft. Moh. Habibullah Mahmud: Validation, resources, formal analysis, and writing – review & editing. Fairus Avideny Hottuana: Investigation, literature review, validation, and writing – review & editing. All authors reviewed and approved the final version of the manuscript.

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The authors declare that they have no known financial, personal, professional, or other competing interests that could have influenced the research reported in this manuscript.

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